

1 RESOLUTION NO. \_\_\_\_

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, TEMPORARILY PERMITTING THE  
4 CITY MANAGER TO DIRECT RIVERSIDE PUBLIC UTILITIES  
5 TO SHUT OFF WATER AND/OR ELECTRIC UTILITY SERVICES  
6 TO NONCOMPLIANT BUSINESSES OPERATING IN  
7 VIOLATION OF STAY AT HOME ORDERS

8 WHEREAS, the novel Coronavirus (COVID-19) pandemic is an unprecedented global  
9 emergency; and

10 WHEREAS, the California Emergency Services Act (Government Code §8550, *et seq.*)  
11 empowers the City Council of the City of Riverside to declare a Local Emergency when there exist  
12 conditions of disaster or of extreme peril to the safety of persons and property within the territorial  
13 limits of the City of Riverside (City) which are or are likely to be beyond the control of the services,  
14 personnel, equipment, and facilities of the City; and

15 WHEREAS, on March 4, 2020, California Governor Gavin Newsom declared a State of  
16 Emergency due to the threat of the novel Coronavirus (COVID-19); and

17 WHEREAS, on March 8, 2020, the Riverside County Public Health Officer declared a local  
18 health emergency based on the imminent threat to public health from the novel Coronavirus  
19 (COVID-19) in Riverside County; and

20 WHEREAS, on March 10, 2020, the County of Riverside proclaimed a local emergency; and

21 WHEREAS, on March 13, 2020, the Director of Emergency Services of the City, proclaimed  
22 a Local Emergency and said proclamation was ratified by the City Council on March 17, 2020; and

23 WHEREAS, on March 16, 2020, the Riverside County Public Health Officer ordered the  
24 cancellation of gatherings with an expected presence of 10 people or more, thereby effectively  
25 closing most small businesses; and

26 WHEREAS, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 (Stay  
27 At Home Order) which ordered all individuals living in the State of California to stay home or at  
28 their place of residence, except as needed to maintain continuity of operation of the federal critical  
infrastructure sectors and additional sectors as the State Public Health Officer may designate as  
critical to protect health and well-being of all Californians;

1  
2 WHEREAS, the Stay At Home Order mandated that businesses that provide essential  
3 services may remain open, and that businesses that provide non-essential services must close. Such  
4 businesses that provide non-essential services include but are not limited to dine-in restaurant  
5 operations, bars and nightclubs, entertainment venues, gyms and fitness studios, public events and  
6 gatherings, convention centers, and hair and nail salons; and

7 WHEREAS, this Resolution is adopted pursuant to the City's police powers and powers  
8 afforded to the City in time of national, state, county, and local emergency during an unprecedented  
9 health pandemic, such powers being afforded by the California Constitution, State law, the City  
10 Charter, and the Riverside Municipal Code to protect the public peace, health, safety and public  
11 welfare, and

12 WHEREAS, this Resolution is necessary for the preservation of the public peace, health,  
13 safety and public welfare of residents living within the City and under Government Code 8364, this  
14 Resolution is necessary for the protection of life and property; and

15 NOW, THEREFORE, the City Council of the City of Riverside hereby declares and orders as  
16 follows:

17 Section 1. Subject to the exceptions outlined in this Section 3 below, all non-essential  
18 businesses within the City of Riverside are required to cease operations in order to comply with  
19 orders relating to COVID-19 issued by the Governor and the County Public Health Officer.

20 Section 2. A business that fails to cease operation and does not fall within an exception  
21 as described in Section 3 may be subject to having its water and/or electric utility service shut off by  
22 Riverside Public Utilities for not being in compliance with the Stay at Home Order. The City  
23 Manager, or his or her written designee, may, after engagement with and a written warning issued to  
24 a noncompliant business, direct, in writing, Riverside Public Utilities to shut off water and/or electric  
25 utility service pursuant to this Resolution. Upon receiving such a written direction, the Riverside  
26 Public Utilities General Manger, or his designee, is authorized to shut off water and/or electric utility  
27 service to that noncompliant business and may not restore such utility service unless directed to do  
28 so in writing by the City Manager or his designee.

Section 3 Businesses that provide critical infrastructure for the state are exempt from this Resolution, as defined in the Stay at Home Order. A list of exempt sectors are set forth at <https://covid19.ca.gov/img/EssentialCriticalInfrastructureWorkers.pdf>. The Governor and County Public Health Officer may alter or clarify exemptions, and this Resolution will apply the current exemptions applicable at the time of proposed termination of utility service, as set forth in Section 2 herein; and

3. This Resolution shall go into effect immediately upon adoption and shall terminate and be of no further force and effect upon the repeal of the Local Emergency.

ADOPTED by the City Council this \_\_\_\_ day of May, 2020.

Attest:

Mayor of the City of Riverside

City Clerk of the City of Riverside

I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at its meeting held on the \_\_\_\_\_ day of May, 2020, by the following vote, to wit:

*Ayes:*

Noes:

Absent:

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
City of Riverside, California, this \_\_\_\_\_ day of May, 2020.

City Clerk of the City of Riverside

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